

Subpart—Assessment Rates

§ 905.235 Assessment rate.

On and after August 1, 2001, an assessment rate of \$0.005 per 4/5-bushel carton or equivalent is established for assessable Florida citrus covered under the order.

[66 FR 56597, Nov. 9, 2001]

Subpart—Grade and Size Requirements

§ 905.306 Orange, Grapefruit, Tangerine and Tangelo Regulation.

(a) Except as otherwise provided in § 905.601, during the period specified in

column (2) of table I, no handler shall ship between the production area and any point outside thereof, in the 48 contiguous States and the District of Columbia of the United States, any variety of fruit listed in column (1) of such table unless such variety meets the applicable minimum grade and size (with tolerances for size as specified in paragraph (c) of this section) specified for such variety in columns (3) and (4) of such table.

TABLE I

Variety	Regulation period	Minimum grade	Minimum diameter (inches)
(1)	(2)	(3)	(4)
ORANGES			
Early and midseason	01/29/90–08/19/90	U.S. No. 1 Golden	2 ¹ / ₁₆
.....	On and after 08/20/90	U.S. No. 1	2 ⁹ / ₁₆
Navel	On and after 12/7/81	U.S. No. 1 Golden	2 ⁹ / ₁₆
Temple	On and after 12/7/81	U.S. No. 1	2 ⁹ / ₁₆
Valencia and other late type	05/06/91–09/22/91	U.S. No. 1 Golden	2 ¹ / ₁₆
.....	On and after 09/23/91	U.S. No. 1	2 ⁹ / ₁₆
GRAPEFRUIT			
Seeded, except red	On and after 9/01/94	U.S. No. 1	3 ¹ / ₂ ¹ / ₁₆
Seeded, red	On and after 9/01/94	U.S. No. 1	3 ¹ / ₂ ¹ / ₁₆
Seedless, red	On and after 11/13/00	U.S. No. 1	3 ⁵ / ₁₆
Seedless, except red	On and after 9/01/94	U.S. No. 1	3 ⁹ / ₁₆
TANGERINES			
Dancy	On and after September 26, 2000 ..	U.S. No. 1	2 ⁶ / ₁₆
Failglo	On and after October 19, 1998	U.S. No. 1	2 ⁹ / ₁₆
Honey	March 23, 1992–08/23/92	Florida No. 1 Golden	2 ⁹ / ₁₆
.....	On and after 8/24/92	Florida No. 1	2 ⁹ / ₁₆
Robinson	On and after September 26, 2000 ..	U.S. No. 1	2 ⁹ / ₁₆
Sunburst	On and after September 26, 2000 ..	U.S. No. 1	2 ⁶ / ₁₆
TANGELOS			
Tangelos	On and After 12/7/81	U.S. No. 1	2 ⁹ / ₁₆

(b) Except as otherwise provided in § 905.601, during the period specified in column (2) of table II, no handler shall ship to any destination outside the 48 contiguous States and the District of Columbia of the United States any variety of fruit listed in column (1) of

such table unless such variety meets the applicable minimum grade and size (with tolerances for size as specified in paragraph (c) of this section) specified for such variety in columns (3) and (4) of such table.

TABLE II

Variety	Regulation period	Minimum grade	Minimum diameter (inches)
(1)	(2)	(3)	(4)
ORANGES			
Early and midseason	01/29/90–08/19/90	U.S. No. 1 Golden	2 ¹ / ₁₆
.....	On and after 08/20/90	U.S. No. 1	2 ⁹ / ₁₆
Navel	On and after 11/24/89	U.S. No. 1 Golden	2 ⁹ / ₁₆

TABLE II—Continued

Variety	Regulation period	Minimum grade	Minimum diameter (inches)
(1)	(2)	(3)	(4)
Temple	On and after 11/24/89	U.S. No. 1	2 ⁵ / ₁₆
Valencia and other late type:	March 23, 1992–9/27/92	U.S. No. 1	2 ⁵ / ₁₆
.....	On and after 9/28/92	U.S. No. 1	2 ⁵ / ₁₆
GRAPEFRUIT			
Seeded, except red	On and after 09/01/94	U.S. No. 1	3 ⁹ / ₁₆
Seeded, red	On and after 09/01/94	U.S. No. 1	3 ⁹ / ₁₆
Seedless, except red	On and after 09/01/94	U.S. No. 1	3 ⁵ / ₁₆
Seedless, red	On and after 09/01/94	U.S. No. 1	3 ⁵ / ₁₆
TANGERINES			
Dancy	On and after September 26, 2000 ..	U.S. No. 1	2 ⁵ / ₁₆
Fallglo	On and after October 19, 1998	U.S. No. 1	2 ⁵ / ₁₆
Honey	March 23, 1992–08/23/92	Florida No. 1 Golden	2 ⁵ / ₁₆
.....	On and after 08/24/92	Florida No. 1	2 ⁵ / ₁₆
Robinson	On and after September 26, 2000 ..	U.S. No. 1	2 ⁵ / ₁₆
Sunburst	On and after September 26, 2000 ..	U.S. No. 1	2 ⁵ / ₁₆
TANGELOS			
Tangelos	On and After 11/24/89	U.S. No. 1	2 ⁵ / ₁₆

¹ Florida No. 1 Golden grade for Honey tangerines means the same as provided in Rule No. 20–35.03 of the Regulation of the Florida Department of Citrus.

(c) *Size tolerances.* To allow for variations incident to proper sizing in the determination of minimum diameters as prescribed in Tables I and II, not more than 10 percent, by count, of the fruit in any lot of containers may fail to meet the minimum diameter size requirements, and not more than 15 percent, by count, in any individual sample may fail to meet the minimum diameter size requirements specified: *Provided*, That such tolerances for other than Navel and Temple oranges shall be based only on the oranges in the lot measuring 2¹/₁₆ inches or smaller in diameter.

(d) Terms used in the marketing order including Improved No. 2 grade for grapefruit, when used herein, mean the same as is given to the terms in the order; Florida No. 1 grade for Honey tangerines means the same as provided in Rule No. 20–35.03 of the Regulations of the Florida Department of Citrus, and terms relating to grade, except Improved No. 2 grade for grapefruit and diameter, shall mean the same as is given to the terms in the revised U. S. Standards for Grades of Florida Oranges and Tangelos (7 CFR 51.1140 through 51.1179), the revised U. S. Standards for Florida Tangerines (7 CFR 51.1810 through 51.1837), or the revised U. S. Standards for Grades of

Florida Grapefruit (7 CFR 51.750 through 51.784).

[46 FR 60171, Dec. 8, 1981]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 905.306, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

EDITORIAL NOTE: After January 1, 1979, “Budget of Expenses and Rate of Assessment” regulations (e.g. sections .200 through .299) and “Handling” regulations (e.g. sections .300 through .399) which are in effect for a year or less, will not be carried in the Code of Federal Regulations. For FEDERAL REGISTER citations affecting these regulations, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 905.350 Red seedless grapefruit regulation.

This section establishes the weekly percentages to be used to calculate each handler's weekly allotment of small sizes. Handlers can fill their allotment with size 56, size 48, or a combination of the two sizes such that the total of these shipments are within the established weekly limits. The weekly percentages for size 48 (3 9/16 inches minimum diameter) and size 56 (3 5/16 inches minimum diameter) red seedless grapefruit grown in Florida, which may be handled during the specified weeks are as follows: